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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,008	01/22/2002	Rima M. Nazanda	219.40217X00	7798
23838	7590	11/18/2005	EXAMINER	
KENYON & KENYON 1500 K STREET NW SUITE 700 WASHINGTON, DC 20005			TUNG, KEE M	
			ART UNIT	PAPER NUMBER
			2671	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/051,008	NAZANDA ET AL.
	Examiner Kee M. Tung	Art Unit 2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 September 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14, 18, 20-24 and 26-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 18 and 20-23 is/are allowed.
- 6) Claim(s) 1-3, 5-10, 12-14, 24 and 26-31 is/are rejected.
- 7) Claim(s) 4 and 11 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

The amendment filed 9/9/05 has been considered in preparing this Office action.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 8-10 and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Chin et al (6,202,101 hereinafter "Chin").

Chin teaches a system (Fig. 1) to process a plurality of data requests (such as, request to access system memory 18 via bus interface unit 14), comprising a plurality of memory locations (such as, cache 16 and system memory 18) each to store data; and a multipurpose buffer mechanism (bus interface unit 14 includes processor controller 42 in Fig. 2 and further having in-order queue 64, peripheral queue 66; and memory queue 68 in Fig. 4) to maintain an ordering of said data requests (in-order queue records the

order of the requests, col. 3, lines 40-41) to said plurality of memory locations and data responses from said plurality of memory locations (circular FIFO in col. 3, lines 44-48, col. 4, lines 10-14 and lines 36-60). Therefore, at least claim 8 is anticipated by Chin.

As per claim 9, Chin teaches simultaneously maintains information regarding said plurality of data requests (col. 4, lines 36-60, the in-order queue maintains either an I/O pointer system or entry numbers depending on whether the requests are sent in-order or out-of-order. Since all the requests are maintain in the in-order queue and can be monitored based on their respective locations in the buffer, they can be considered as simultaneously maintain).

As per claim 10, Chin teaches an age counter section (entry number format, the smaller the assigned number, the older the request is) and a buffer control section (Fig. 4, 74).

As per claim 12, Chin teaches said buffer control section identifies a status of each of said plurality of data requests (the status can be determined based on their respective locations or pointers in the buffer).

As per claim 13, Chin teaches to determine an age of said plurality of data requests stored in said multipurpose buffer mechanism (also the age can be determined based on their respective locations in the buffer, the oldest is the one point by the output pointer as well known in the circular FIFO).

As per claim 14, Chin teaches said age is determined based on said age counter section (pointer is considered/functioned as a counter which increment/decrement by one at time).

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-7, 24, and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin et al (6,202,101 hereinafter "Chin").

The teachings of Chin are given in previous paragraph of this Office action. Chin further teaches a system (Fig. 1) comprising a CPU (12) having a cache (16); a graphics accelerator (20), a frame buffer (24), and a system memory (18) connected to a bus interface through respective buses (CPU bus, graphics bus (AGP) and memory bus) and PCI bus to peripheral devices. Method claim 24 is similar in scope to system claim 8, and additionally requires monitoring a status of a plurality of operations regarding said plurality of data requests. Chin teaches each request queue may be a circular FIFO buffer or may have I/O points which indicate the I/O locations and thus there status can be seen from there the location of the circular FIFO or their pointers (col. 3, lines 44-64). It would have been obvious to one of ordinary skill in the art at the time the present invention was made that the status of the request can be monitored from the circular FIFO buffer based on their respective locations in the buffer in first-in-first-out manner. Therefore, at least claim 24 would have been obvious.

As per claims 26 and 27, Chin teaches obtaining said data comprising maintaining an age counter for said plurality of data requests (either a pointer (output pointer points to the oldest request) or the locations in the circular FIFO).

Claim 28 is similar in scope to claim 24, and thus is rejected under similar rationale.

Claims 29-31 are similar in scope to claims 26-27, and thus are rejected under similar rationale.

Claim 1 is similar in scope to claim 24, and thus is rejected under similar rationale.

As per claim 2, Chin teaches said multipurpose buffer mechanism maintains information regarding said plurality of data requests to a plurality of memory locations (Fig. 4, memory queue 68).

Claim 3 is similar in scope to claim 10, and thus is rejected under similar rationale.

As per claim 5, Chin teaches said buffer control section identifies a status of each of said plurality of data requests (the status can be determined based on their respective locations or pointers in the buffer).

As per claim 6, Chin teaches to determine an age of said plurality of data requests stored in said multipurpose buffer mechanism (also the age can be determined based on their respective locations in the buffer, the oldest is the one point by the output pointer as well known in the circular FIFO).

As per claim 7, Chin teaches said age is determined based on said age counter section (pointer is considered a counter which increment/decrement one at time).

***Allowable Subject Matter***

3. Claims 18 and 20-23 are allowed.
4. Claims 4 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. The following is a statement of reasons for the indication of allowable subject matter: The prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach or suggest, in combination with the remaining elements, said age counter section comprising a plurality of shift registers as recited in claims 4, 11 and 20.

***Response to Arguments***

6. Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection.

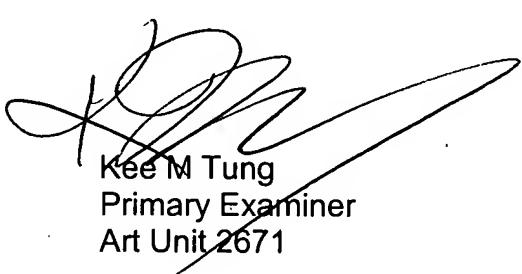
***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kee M. Tung whose telephone number is 571-272-7794. The examiner can normally be reached on Tuesday - Friday from 5:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2671

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kee M Tung  
Primary Examiner  
Art Unit 2671